



Planning Board

May 11, 2016 – 6:00 PM –**Minutes**

New Bedford Free Main Public Library, 613 Pleasant Street

PRESENT: Colleen Dawicki, Chairperson
Kathryn Duff
Peter Cruz
Arthur Glassman
Alex Kalife

ABSENT: None

STAFF: Jennifer Clarke, AICP, *Acting City Planner*
Constance Brawders, *Staff Planner*

CALL TO ORDER

Chairperson Dawicki called the meeting to order at 6:01 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

A motion was made (KD) and seconded (AG) to approve the April 2016 meeting minutes.
Motion passed unopposed.

PUBLIC HEARINGS

ITEM #1 – Case #11-16_- Sidewalk Café Permit renewal for use by Brick at the property known as 163 Union Street (Map Plot 53, Lot 134) located in the Mixed Use Business and Downtown Business Overlay zoning districts. Applicant: John F. Goggin, 163 Union Street, New Bedford, MA 02740.

The applicant declined to make a presentation, stating there had been no change from last year's application.

A motion was made (KD) and seconded (AG) to open the public hearing. Motion passed unopposed.

There was no response to Ms. Dawicki's invitation to speak or be recorded in favor or in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing. Motion passed unopposed. Noting this application was the same as last year's, there were no questions from the board.

A motion was made (KD) and seconded (AG) to approve the sidewalk café for Case 11-16 for Brick

Café located at as 163 Union Street. Motion passed unopposed.

Ms. Dawicki stated the planning office is working on developing a process that would internalize the process and not require applicants to appear before the board each year.

Agenda Item #2 A was moved to follow Item # 5.

ITEM #3 – Case #15-16_- Sidewalk Café Permit renewal for use by Pour Farm Tavern at the property known as 780 Purchase Street (Map 53, Lot 131) located in the Mixed Use Business and Downtown Business Overlay zoning districts. Applicant: Noah Griffith, Manager, Pour Farm Tavern, 780 Purchase Street, New Bedford, MA 02740.

The applicant declined to make a presentation, but welcomed any questions.

A motion was made (KD) and seconded (AG) to open the public hearing. Motion passed unopposed.

There was no response to Ms. Dawicki’s invitation to speak or be recorded in favor or in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing. Motion passed unopposed.

A motion was made (AG) and seconded (KD) to approve the sidewalk café permit. Motion passed unopposed.

ITEM #4 – CASE #16-16_- Sidewalk Café Permit renewal for use by Pier 37 Restaurant at the property known as 37 Union Street (Map 53, Lot 197) located in the Industrial A and Downtown Business Overlay zoning districts. Applicant: Jeremy Dias and Eddy Yedlin, Pier 37 Restaurant, 37 Union Street, New Bedford, MA 02740.

The applicant declined to make a presentation, but welcomed any questions.

A motion was made (KD) and seconded (AG) to open the public hearing. Motion passed unopposed.

There was no response to Ms. Dawicki’s invitation to speak or be recorded in favor or in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing. Motion passed unopposed.

A motion was made (AG) and seconded (KD) to approve the sidewalk café permit. Motion passed unopposed.

ITEM #5 – Case #13-16/Case #14-16 McDonald’s USA, LLC (Cedar-Kings, 44 South Bayles Avenue, Port Washington, NY 11050) Request by applicant for the modification of the decision for both Special Permit (Case 19-15) for reduction of parking spaces, and Case 14-16: McDonald’s USA, LLC for Site Plan approval (Case 19-15), located at 1080 King’s Highway in the Planned Business and Industrial A zoning districts . Applicant’s agent: Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772.

Eric Dubrule of Bohler Engineering addressed the board on behalf of McDonald’s. He stated they are

seeking modification on September 2015 approvals. After site orientation, he addressed the board to the site entry and parking stalls which will be hugely improved, along with the drive-thru setup. He noted the currently untreated storm water on site. He stated the approved plan delineates the drive and provides McDonald's with curb cuts and landscaped isles with curbing. The plan provides 4,400 SF of green space and an increase in storm water treatment to over 80%. He stated the modification sought is to add a 750 SF play space addition to the proposed building which will replace five previously planned parking stalls. In addition, they are seeking a crosswalk to access the eighty unutilized parking stalls across the plaza. He noted the original plan requested a reduction of forty parking stalls which they are seeking to modify to thirty-five. He noted most of the McDonald's business is at their drive-thru and the request will still provide adequate parking.

In response to Ms. Duff's inquiry regarding the largely vacant parking area, Mr. Dubrule offered that when McDonald's had been first developed, the practice was to provide an abundance of parking. Mr. Dubrule again noted the planned improvements and stated the applicant had received Conservation Commission approval for the amendment to the Order of Conditions. Mr. Glassman stated that it was a challenging crossing area, especially in bad weather.

At Ms. Dawicki's request, Mr. Dubrule reviewed the landscape plan which had now been provided. Mr. Dubrule stated it will include two street trees, shrubs and decorative landscaping.

Mr. Kalife requested clarification on any reduction of handicapped parking spaces. Mr. Cruz noted the original plan showed four. Mr. Dubrule stated that ADA requirements were being complied with.

Ms. Duff expressed some concern about the east location of the spaces and any backing up should there be a queue of cars, and inquired as to a movement of the planned play area. Mr. Dubrule addressed the queue of cars and stated that moving the play area would locate it to where the kitchen would be and would create an access problem. Ms. Duff confirmed with the planning staff that any modification will not negate any previously agreed to terms in the special permit. Ms. Clarke concurred.

Ms. Duff inquired as to any fence on the eastern edge. Mr. Dubrule stated the area was proposed to be low maintenance grass.

A motion was made (KD) and seconded (AG) to open the public hearing. Motion passed unopposed.

There was no response to Ms. Dawicki's invitation to speak or be recorded in favor or in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing. Motion passed unopposed.

After brief board discussion on original conditions to remain in effect, a motion was made (KD) and seconded (AG) to approve the modified site plan as submitted for Case 14-16 with modifications to McDonald's located on 1080 Kings Highway New Bedford, MA, referencing that all previously agreed to conditions will remain in force with the exception of Request #2 – submission and approval of the landscape plan which was done this evening. Motion passed unopposed.

A motion was made (KD) and seconded (AG) to accept the modified of the reduction in parking for Case 13-16 for the McDonald's located on 1080 Kings Highway New Bedford, MA, from the required sixty-three spaces to thirty-five spaces as presented this evening. Motion passed 5-0.

ITEM #2- Case #12-16 - Sidewalk Café Permit renewal for use by Cork Wine and Tapas Bar at the property known as 90 Front Street (Map 53, Lot 23) located in the Industrial A and Downtown Business Overlay zoning districts. Applicant: Matterhorn RE, LLC, 90 Front Street, New Bedford, MA 02740.

The applicant was not able to be present until after 7:00 pm. Ms. Dawicki noted that as the application was unchanged from last year a motion was made (KD) and seconded (PC) to open the public hearing. Motion passed unopposed.

There was no response to Ms. Dawicki's further invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing. Motion passed unopposed.

A motion was made (AG) and seconded (KD) to approve the sidewalk café permit. Motion passed unopposed.

OLD BUSINESS/NEW BUSINESS:

Ms. Clarke reiterated efforts to create an internal review for sidewalk permits.

She noted there was a FEMA notice regarding 24 Belleville and a Freetown zoning change notifications. Those seeking additional information are welcome to review the file at the Planning Office.

ADJOURNMENT:

There being no further business before the board; a motion was made (AG) and seconded (PC) to adjourn. Motion passed unopposed.

Meeting adjourned at 6:30 p.m.

NEXT MEETING
Wednesday, June 8, 2016